IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 18TH DECEMBER 2007 / 27TH AGRAHAYANA 1929

Crl.MC.No. 3564 of 2007()

CRA.393/1999 of ADDL. SESSIONS COURT (ADHOC)-II, TRIVANDRUM
CC.629/1996 of JUDL. MAGISTRATE OF FIRST CLASS COURT-II, TRIVANDRUM

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PETITIONER:ACCUSED

SHAJAHAN, ROYAL HOTEL,
OPPOSITE POONTHURA POLICE STATION,
POONTHURA P.O., THIRUVANANTHAPURAM.

BY ADV. SRI.M.SREEKUMAR

RESPONDENTS: STATE

STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,ERNAKULAM.

BY PUBLIC PROSECUTOR SRI.GIKKU JACOB

THIS CRIMINAL MISC. CASE HAVING COME UP FOR ADMISSION ON 18/12/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J.

Crl.M.C.No.3564 of 2007

Dated this the 18th day of December 2007

O R D E R

The report of the learned Magistrate has been perused. The learned counsel for the petitioner submits that in the light of the said report dated 12/12/2007 passed by the learned Magistrate, the petitioner does not want to seek any further relief in this Criminal Miscellaneous Case. But the learned counsel for the petitioner submits that his right to challenge the appellate judgment and to challenge the action which is now being initiated by the learned Magistrate for realisation of the amount under Section 421 Cr.P.C may be reserved. The petitioner shall initiate appropriate proceedings against the appellate judgment, submits the learned counsel for the petitioner.

2. I am satisfied that the said request can be accepted. This Criminal Miscellaneous Case is accordingly dismissed without prejudice to the right of the petitioner to challenge the appellate judgment in appropriate proceedings.

(R.BASANT, JUDGE)

jsr

R.BASANT, J.

CRL.M.CNo.

ORDER

21ST DAY OF MAY2007